IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.60 OF 2007

Vasant Gangadhar Punekar & Anr. ...Petitioners

Versus

Dnyaneshwar Marutirao Akahde ...Respondent

Shri A.M.Vernekar for the Petitioners.

Shri Girish S. Godbole for the Respondent.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 03, 2007.

P.C.:

1. After arguing the revision Application for sometime, the learned counsel appearing for the Petitioners on instructions of the Petitioners states that the Petitioners are not pressing the revision Application on merits and prays that time to vacate the suit premises may be granted to the Petitioners upto 31st March, 2008 subject to filing usual undertaking. I have heard Shri Godbole appearing for the Respondent on said prayer. Considering the facts and circumstances of the case, prayer made by the learned counsel for the Petitioners is reasonable and the same deserves to be granted. However, the Petitioners will have to file their own usual undertakings to vacate as well as the undertakings of all adult members of their family.

2. Hence, revision Application is disposed of by

passing following order:

(i) Revision Application is dismissed as not pressed with no orders as to costs.

(ii) Notwithstanding the dismissal of the revision Application, the decree for possession shall not be executed till 31st March, 2008 subject to condition of the Petitioners and all adult members of the family of the Petitioners filing usual undertakings to vacate the suit premises on or before 31st March, 2008. The undertaking shall be filed in this Court within a period of four weeks from today.

(iii) If the undertakings are not filed within the stipulated period of four weeks from today, the decree passed by the trial Court will forthwith become executable.

(iv) If there are any arrears payable by the Petitioner No.1, the same shall be paid or deposited with the trial Court within a period of eight weeks from today.

(v) Parties to act upon an authenticated copy of this order.

JUDGE